

2-27-05

ON 3-2-04 I was transferred to a outside Doctor and He Recommended Re-checking in 6 weeks which never took place I was experiencing pain and discomfort in the Region. As a informal resolution you agreed to get my hand fixed which never took place I previously submitted a Grievance on 1-10-04 "Deemed futile". which was never acted upon

Legitimal remedy
(MGC) Hearing

"Grievance" filed
2/27/05

Memorandum

From: James Shae
To: Mrs. Nelson, Lisa M ("LSC")
SBJ: 00167581 w. Bldg C-22
Date: 2/11/05

Re: Grievance that reads as follows; Filed 2/27/05

On 3.2.04 I was transferred to a outside doctor and recommended
relocating in 6 weeks; which never took place in experiencing pain and
discomfort in the region I agreed at the informal resolution to get my
hand fixed which never took place I've previously submitted a Grievance on
1.10.04 which was never acted upon., Grievant asserts, Mrs Nelson (FCM) has
releged on the informal resolution agreed to on 2.20.04, The Grievant's hand
remains unhealed and permanently deformed. Grievant has requested an URGC hearing
so that my hand can properly be fixed with down regises, re-breaking, pinning
U. (FCM) own doctor's recommendation; previously a-ray, hand cast. I'd humbly
request that the (URGC hearing) be conducted at the earliest convenience I
previously contacted you about this matter on Feb 1, 05

Respectfully Submitted

This 11th day of Feb 05

James Shae
00167581 C-22 Bldg

Memorandum

To: Mr. Paul W. Howard

From: Somes Hell

Date: 5-18-05

Re: Grievance / informal resolution #1309 Attached herein are copies of

The unresolved Grievances. I filed suit against First Correctional Medical and Brenda Holwerda, for Deliberate indifference to a serious medical need. It is clear that the United States District Court believes that CA#04-176-GMS have prouvable merit, in both fact and law. Memorandum order dated. NOV 29 2004 The #1309 Grievance date 21-04 still remain unresolved. The BOP "Grievance Manual" provides 180 days to complete grievance process. It is beyond the 180 days and the grievance process concluded unresolved. further effort to resolve this institutionally is futile. I.D. Bop 4.4. 5C, The informal resolution signed by myself and Brenda Holwerda. Clearly they have reneged because the agreement was that i would be taken outside the prison to have my hand properly fixed (See Consultation order prepared by Dr. Dushuttle which clearly offers expert medical testimony identifying the alleged deviation from the applicable standards of care, on January 26, 2005. The Honorable Gregory W. Shufi dismissed my claim for failure to exhaust administrative remedy's. However the court decision, will not prevent me from pursuing my administrative remedy at the DOC and if, i'm not satisfied with the final result, I may then refile my complaint in federal court. Dear I intend to refile because I, incorporate by reference Bop 4.4 Grievance procedure which prohibits repetitive grievances for the same offense leaving me with no remedy I humbly request consultation in regard to resolution, and compensation and respectfully requesting your comment on this matter

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GRIEVANCE REPORT

OFFENDER GRIEVANCE INFORMATION

Offender Name : HALL, JAMES E J	SBI# : 00167581	Institution : DCC
Grievance # : 1309	Grievance Date : 02/01/2004	Category : Individual
Status : Unresolved	Resolution Status:	Inmate Status :
Grievance Type: Health Issue (Medical)	Incident Date : 01/20/2004	Incident Time : 00:00
IGC : Merson, Lise M		

OFFENDER GRIEVANCE DETAILS

Description of Complaint: rt pinkie finger broken on 1/20/04 while in receiving room I was checked by RN. He noted my hand was broken and gave me ice. Put it in chart to x-ray and cast it.

Remedy Requested : Need medical attention, still haven't received it.

INDIVIDUALS INVOLVED

Type	SBI #	Name
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ADDITIONAL GRIEVANCE INFORMATION

Medical Grievance : YES	Date Received by Medical Unit : 02/12/2004
Investigation Sent : 02/12/2004	Investigation Sent To : Kratsas, Gina
Grievance Amount :	

INFORMAL RESOLUTION

OFFENDER GRIEVANCE INFORMATION

Offender Name : HALL, JAMES E J	SBI# : 00167581	Institution : DCC
Grievance # : 1309	Grievance Date : 02/01/2004	Category : Individual
Status : Unresolved	Resolution Status:	Inmate Status :
Grievance Type: Health Issue (Medical)	Incident Date : 01/20/2004	Incident Time : 00:00
IGC : Merson, Lise M		

INFORMAL RESOLUTION

Investigator Name : Kratsas, Gina Date of Report 02/12/2004

Investigation Report :

Reason for Referring:

Offender's Signature:

Date

: 2-20-04

Witness (Officer)

: Meredith Holwerda Lomers

2/8/04 - Inmate seen on 2/4/04 by myself
on 2/8/04 - X-ray of R hand done.

2/19/04 - Referral for Ortho consult. 6/2

FORM #585MEDICAL GRIEVANCEFACILITY: DCCDATE SUBMITTED: 2-10-04INMATE'S NAME: James HallSBI#: CO167581HOUSING UNIT: MHU 23 B-C-10CASE #: 1309SECTION #1DATE & TIME OF MEDICAL INCIDENT: 2/10/2004 10:00

TYPE OF MEDICAL PROBLEM:

This is a update concerning my previously submitted Sickcall grievance on 1-28-04 I have yet to get X-ray the Doctor tell me that I need my arm put into a cast now. My arm is deformed and hurts really bad

GRIEVANT'S SIGNATURE: James HallDATE: 2-10-04ACTION REQUESTED BY GRIEVANT: Need medical attention still hurts!
Rec'd/req

DATE RECEIVED BY MEDICAL UNIT: _____

NOTE: EMERGENCY MEDICAL CONDITIONS WILL TAKE PRIORITY. OTHERWISE, MEDICAL GRIEVANCES WILL BE ADDRESSED AT THE WEEKLY MEDICAL COMMITTEE MEETING.

PHYSICIAN'S ORDER SHEET

ORDERS: Another brand of a genetically equivalent product (identical in dosage form and content of active ingredients) may be administered unless checked.

PRINT PATIENT INFORMATION BELOW

START

11/22/04

Rt. hand x-ray ASAP

Motor cooling for 980 hrs. 1 month

11/10/04 (1st pm)

PROVIDER'S SIGNATURE:

PROVIDER'S SIGNATURE: *Thierry Chikwe NP* DATE/TIME: 1/22/04

START NEW ORDERS BELOW

START

1. P ~~P~~ \rightarrow ~~1~~ \rightarrow ~~1~~

1. Repeat above order, no. 1
done ~~100~~ 1000 ~~1000~~ 1000

PROVIDER'S SIGNATURE:

START NEW ORDERS BELOW

1 START

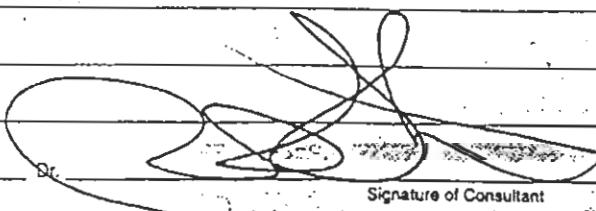
PROVIDER'S SIGNATURE:

DATEHM

NAME Neil James
ALLERGIES -

10 162581 008 6/18/70

CONSULTATION

Last Name <u>Hall</u>	First Name <u>James</u>	Middle Name	Room No.	Hosp. No. <u>167581</u>
From: Attending Physician <u>Alie</u>	To: Consulting Physician <u>Dr. Bushelle</u>			Date <u>3/2/04</u>
Note Findings and Recommend Treatment <u>FRACTURE of 5th METACARPAL</u>				
<p>X-ray - fx (R) 5th metacarpal, 80% healed "Boxer's Fracture"</p> <p>Disability of ft fill Rom minimal tenderness will have a peron bump</p> <p>Should have been casted, too late now! only option is to leave alone & re-breaking the finger & pinning I do not recommend surgery, unless becomes a problem in the future. The surgery would be the same now or later at this point. Recommend re-checking in 6 wks.</p>				
<p>Date of Consultation: <u>3-2-04</u></p> <p>Dr. </p> <p>Signature of Consultant</p>				

Declaration under penalty of perjury of
#136557, Maurice Land, being competent to make
this declaration and having personal knowledge of the
matters stated therein, declares pursuant to 28 U.S.C. § 1746

113-30-04, John Fair broke his right hand and
received medical attention. On said date, I myself
Maurice C. Land And Mr. Fair Resideel B-L-8 #23
Building And Mr. Hall Resides in the same Building
B-L-10 one day we were talking and through
convergasion with Mr. Hall I could see that
he couldn't believe the response given to Mr. Fair
and he told me (plaintiff) that they still haven't
fixed ^{his} hand

pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury
that the foregoing is true and correct. Executed on April 5, 2004

Maurice Land

Declaration under penalty of perjury of
376812 Anthony Garnett, being competent to make
This declaration and having personal knowledge of the
matters stated therein, declares pursuant to 28 U.S.C. § 1786

1 ON February 10, 2004 I Anthony Garnett injured
my finger which was dislocated in the MU gym
area playing basketball I didn't receive immediate
medical attention until 4 hours later my finger was
pulled and a date was set for me to get my finger
reset which was February 11, 2004 I had medical attention
and my finger was splinted and wrapped properly I reside
in BLT

PLAINTIFF James Hall besides B10

2 I know that Mr. Hall requested medical attention and was
yet to receive it and I thought it was strange that he didn't get any
medical attention and were on the same tier medical requests were
put into the nurse.

Mr. Hall asked me who did I talked with to get my
finger fix I could see the emotion and pain on his face.

Pursuant to 28 U.S.C. § 1746 I declare under penalty of perjury
that the foregoing is true and correct executed on April 2, 2004

Anthony Garnett